

**BOARD OF REGISTRATION IN PHARMACY
MEETING MINUTES**

March 8, 2011

239 Causeway Street

2d Floor, Room 206

Boston, Massachusetts

Board Members

Present

Stanley Walczyk, R.Ph.; Michael Tocco, R.Ph., M.Ed.; Karen Ryle, R.Ph., M.S.; James T. DeVita, R.Ph.; Sophia Pasedis, R.Ph., Pharm.D; Donald Accetta, M.D., M.P.H.; George Cayer, R.Ph.; Joanne Trifone, R.Ph.; Kathy Fabiszewski, Ph.D, N.P.; Steven Budish

Board Members

Absent

None

Staff Present

James D. Coffey, R.Ph., Director; Margaret Cittadino, M.Ed., Associate Director; Susan Manning, Board Counsel; Leo McKenna, R.Ph., Pharm.D., Quality Assurance (QA) Coordinator; Cheryl Lathum R.Ph., Pharm.D., Investigator; James Emery, Pharmacy Technician, Investigator; Investigator

1. 8:30 a.m. **CALL TO ORDER**
President Stanley B. Walczyk, R.Ph.
2. 8:35 a.m. **REVIEW/ADOPTION OF BOARD MINUTES**
Motion Trifone/Pasedis to adopt September 4, 2010 minutes
Approved
- 3: 8:40 a.m. **APPLICATIONS**
Pharmacy/Wholesale Distributor Applications – Assoc. Dir. Cittadino

Nuclear Pharmacist

Timothy Chase Warren

Change of Manager

Allcare Pharmacy, 85 Green Street (DS3602)

Community Pharmacy at Mercy Medical Ctr, 299 Carew St. Springfield (DS89680)

CVS 1206, 240 Newbury Street, Boston (DS2033)

CVS 2254, 137 South Main Street, Milford (DS2866)

CVS 0220, 264 E. Main Street, Marlboro (DS17722)

Hannaford Supermarket & Pharmacy 8388, 333 Mass. Ave, Lunenburg (DS89696)

Hannaford Food & Drug 8020, 10 Washington Street, Norwell (DS3405)

Rite Aid 10175, 1295 Boylston Street, Boston (DS3098)

Rite Aid 10104, 5 Medway Road, Milford (DS3321)

Rite Aid 10117, 525 Turnpike Street, North Andover (DS3128)

Rite Aid 10160, 14 McGrath Highway, Somerville (DS3143)

Stop & Shop Pharmacy 472, 40 Franklin Village, Franklin (DS1622)

Stop & Shop Pharmacy 079, 949 Grafton Street, Worcester (D2689)

Wal-Mart Pharmacy 10 2227, 777 Brockton Ave, Abington (DS2754)

Wal-Mart Pharmacy 10 2903, 66 Parkhurst Road, Chelmsford (DS2966)

Wal-Mart Pharmacy 10 2902, 121 Worcester Road, Framingham (DS3181)

Wal-Mart Pharmacy 10 2222, 333 Main Street, Tewksbury (DS2740)

Wal-Mart Pharmacy 10 2629, 100 Valley Parkway, Whitinsville (DS3508)

Wal-Mart Pharmacy 10 2122, 30 Memorial Drive, Avon (DS2735)
Walgreens 11119, 429 Brookline Avenue, Boston (DS3534)
Walgreens 11119, 720 Main Street, Clinton (DS89657)
Walgreens 12323, 11 Main Street, Maynard (DS89698)
Walgreens 13804, 266 Washington Street, Wellesley (DS89710)
Walgreens 4729, 951 Providence Highway, Norwood (DS2878)

Relocation -Community Pharmacy

Walgreens 848, 1065 Truman Highway, Boston, temporarily relocating (new store number 13143) to trailer in parking lot in same location during store remodel

Controlled Substances

GE Healthcare - Wholesale Distributor WD446 (adding Schedule II to Schedule VI)

GE Healthcare - Nuclear Pharmacy NU10 (adding Schedule II to Schedule VI)

Community Pharmacy Closings

Louis & Clark Pharmacy 135 (DS3427), 1275 State Street, Springfield closing 2/28/11.
 Inventory and prescription drugs to be transferred to Louis & Clark Pharmacy 268 –
 471 Breckwood Blvd., Springfield

Motion Pasedis/Ryle to approve applications

Recused Trifone for Walgreens; DeVita and Tocco for CVS

Approved

4. 8:45 a.m. UPDATES

Dir. James D. Coffey/Assoc. Dir. Margaret Cittadino

- Board Dispositions and 2010 Summary
- Board Office Relocation (2nd to 5th Fl., 239 Causeway St., Boston, MA)

5. 9:25 a.m. REPORT OF OFFICE OF INVESTIGATIONS (no handout)

File Review - James C. Emery, Investigator, Cheryl Latham, Pharm.D., R.Ph.,
 Investigator, Leo A. McKenna, Pharm.D., R.Ph., QA Coordinator

1	PHA-2010-0234 Carrie-Lee C Touhey PT6053	Motion Tocco/Budish for Reprimand and 2 Law Continuing Education (CEs) credits Approved
2	PHA-2010-0107 Ameridose LLC Framingham DS89750 PHA-2010-0108 Ameridose LLC Westborough DS89641	Motion Tocco/Trifone to Dismiss without Prejudice (complaint withdrawn Recused Pasedis (not present for vote or discussion) Approved Motion Tocco/Trifone to Dismiss without Prejudice (complaint withdrawn Recused Pasedis (not present for vote or discussion) Approved
3	PHA-2010-0194 Rite-Aid 10158 DS2376 PHA-2011-0040 Joanne O'Leary PH21183	Motion Pasedis/Ryle to Dismiss - Insufficient Evidence Approved Motion Cayer/Ryle for Consent Agreement for Reprimand with remedial CEs and MPJE Approved

4	PHA-2011-0005 Mark McKinney PH27635	Motion Trifone/Cayer for Consent Agreement for Probation until Texas license is in good standing (termination of TX Probation) Approved Opposed Pasedis, Cayer and Accetta
---	--	---

6. 10:05 a.m. **LEGAL/REPORT OF OFFICE OF GENERAL COUNSEL**
Pending Legal Matters - Susan Manning, Board Counsel

MGL c. 112, s. 65C and MGL c. 30A, s. 18- Review and Discussion of Complaints and Other Matters: Closed Session

- Collaborative Drug Therapy Management (CDTM) - Update

10:10 a.m. **Motion** Trifone/Walczyk to enter Closed Session. **Approved.**

10:50 a.m. **Motion** Trifone/Budish to end Closed Session. **Approved.**

- Matter of **Julia L. Herne** (PT6950) – Docket No. PHA-2009-0173: Review of proposed *Final Decision and Order* after sanction.
Motion Trifone/Cayer to revoke pharmacy technician registration.
Recused: Pasedis (not present for vote or discussion)
Approved
- Matter of **Anthony J. Calello**, R.Ph. (PH17401) – Docket No. PH-08-009 Review of Consent Agreement terms as requested by licensee.
Motion Budish/Tocco to revise Consent Agreement term regarding client contact following agreement compliance verification.
Recused: Cayer (not present for vote or discussion)
Approved

7. 10:50 a.m. **NEW COMMUNITY PHARMACY APPLICATION/Appearance**
ROYAL PALM SPECIALTY PHARMACY LLC – Proposed: 118 Main Street, Webster, Massachusetts

Present: Proposed Manager Agnes S. Bergeron, R.Ph, (PH25022)

Applicant for retail pharmacy licensure proposes to dispense Schedule II-VI controlled substances

Motion Pasedis/Cayer to approve the application subject to compliant inspection.
Approved

8. 11:10 a.m.. **CVS Caremark** - Pharmacy Care Pilot Project Extension Request

Presentation by CVS representatives William Irvin, R.Ph., Business Compliance Officer, Lori Miller, Site Director, Pharmacy Call Center and Tom Bourque, Director Support Services, Pharmacy Call Center

Motion Ryle/Pasedis to extend the Pharmacy Care Pilot Project for additional 18 month period

with continued semi-annual reporting to the Board and approval of request to adjudicate rejected third party claims.

Recused DeVita and Tocco (not present in room for discussion or vote).

Approved

9. 11:30 a.m. PROBATION MONITORING/REPORT OF COMPLIANCE (2010)
Pending Compliance Matters – **Karen Fishman**, Probation Monitor

10. 11:45 a.m. DISCUSSION – Proposed Policies

- Policy: *License Reinstatement following Surrender, Suspension or Revocation*
Motion Cayer/Ryle to approve Policy with revisions

Approved

- Policy: *Proper Storage of Refrigerated and Frozen Medications in a Pharmacy*
Motion Trifone/Ryle to approve Policy with revisions

Approved

FLEX DISCUSSION

A. NEW BUSINESS

- 1) Voting Delegate and Alternate Delegate for the NABP Annual Meeting in May 2011.

Motion Tocco/Pasedis to appoint Walczyk as delegate and Trifone alternate delegate.

Approved

- 2) **Stacey L. Teasley**, R.Ph. (PH21561) Request for Advisory re: LIVE 2011 Continuing Education requirement.

Motion DeVita/Ryle to advise licensee of Webinar option for Live CE requirement; if licensee has no computer, all CEs may be correspondence.

Approved

- 3) Matter of **Daniel Ethan Fontaine** – Pharmacy Intern

Motion to Tocco/Ryle to approve after review of application and evaluation

Approved

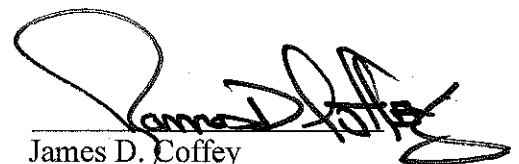
11. 12:30 p.m. LUNCH

12. 1:30 p.m. DISCUSSION

October 2011 NABP/AACP District I & II Annual Meeting to be hosted by Massachusetts:

13. 3:30 p.m. ADJOURNMENT

Respectfully submitted by:


James D. Coffey
Director

Board approved: July 12, 2011

BOARD OF REGISTRATION IN PHARMACY
CLOSED SESSION MINUTES
MARCH 8, 2011
239 CAUSEWAY STREET, ROOM 206
BOSTON, MA 02114

Closed Session – M.G.L. c. 112, s. 65C (Pending Complaints)
M.G.L. c. 30A, s. 18A (Adjudicatory)

10:10 a.m. **Motion** Trifone/Walczyk to enter Closed Session. **Approved.**

- Matter of **Julia L. Herne** (PT6950) - Docket No. PHA-2009-0173:
Review of proposed *Final Decision and Order* after sanction.
Motion Trifone/Cayer to revoke pharmacy technician registration.
Recused: Pasedis (not present for vote or discussion)
Approved
- Matter of **Anthony J. Calello**, R.Ph. (PH17401) – Docket No. PH-08-009
Review of Consent Agreement terms as requested by licensee.
Motion Budish/Tocco to revise Consent Agreement term regarding client
contact following agreement compliance verification.
Approved

10:50 a.m. **Motion** Trifone/Budish to end Closed Session.
Approved.